IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO.10105 of 2005

Between:

P. Prasada Rao, S/o. G. Guruvaiah,
O/o. Sr. divisional personnel Officer, South Central Railway, Vijayawada division, Vijayawada.

..... PETITIONER

AND

1 The Senior Divisional Personnel Officer, South Central

Railway, Vijayawada Division, Vijayawada.
2 The Registrar, Central Administrative Tribunal, Hyderabad

Bench, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue order, direction or Writ more particularly one in the nature of Writ of Certiorari, or any appropriate writ calling for the records and quashing the order in O.A.No. 625/2004 duly directing the Hon'ble CAT, Hyderabad Bench declaring the same as arbitrary, illegal, unwarranted, misconceived and in violation of Articles 14 and 16 of the Constitution of India, duly directing the Hon'ble Tribunal to re-hear the O.A. No.

625/2004 providing opportunity for the Counsel for the Petitioner herein to present the case, in the interest of justice.

Counsel for the Petitioner: MR.SANKA RAMAKRISHANA RAO

Counsel for the Respondents: MR.GOURI SHANKAR SANGHI

The Court, at the admission stage, made the following:

ORAL ORDER:- (PER GB, J)

The Writ Petition is filed assailing the order, dated 15.02.2004, passed by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, in O.A.No.625 of 2004.

2. Learned counsel for the petitioner submits that the Tribunal passed an ex parte order. He also submits that the matter requires re-hearing in the hands of the Tribunal by providing an opportunity to the counsel for the petitioner, and therefore, he seeks a direction.

3. Admittedly, the Tribunal passed an ex parte order on 15.02.2004. It is open for the petitioner either to file a review application or any other application to set aside the ex parte order.

4. Under those circumstances, we find that the Writ Petition is not maintainable and the same is accordingly dismissed giving liberty to the petitioner to approach the Tribunal by filing a review application. No costs.

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G. BIKSHAPATHY, J

P.S. NARAYANA, J

Date: 28.04.2005

ES/NSR

To

1 The Senior Divisional Personnel Officer, South Central

Railway, Vijayawada Division, Vijayawada.
2 The Registrar, Central Administrative Tribunal, Hyderabad

Bench, Hyderabad.

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